AMENDMENTS TO THE DRAWINGS

The attached drawing sheet includes changes to the drawing figure. This sheet, which includes FIG. 1, replaces the sheet previously submitted with the Amendment in Response to First Office Action filed May 11, 2009. No new matter has been introduced.

Attachment: One (1) Replacement Drawing Sheet (FIG. 1)

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

At the outset, the Applicants' undersigned representative would like to thank the Examiner for the courtesy of conducting a telephone interview on December 8, 2009, the substance of which is set forth in the Interview Summary dated December 11, 2009 and herein.

The claims are 2-11. Independent claim 9 has been amended to be in Jepson claim format. New independent claims 10 and 11, also in Jepson format, have been added. Dependent claims 2-8 are as previously presented. Support for new independent claims 10 and 11 may be found, *inter alia*, in claims 2 and 4 of the application as filed and in the specification as filed at page 3, fourth paragraph. No new matter has been introduced.

The Examiner objected to the drawings under 37 C.F.R. 1.83(a) as failing to show the contact-free power supply recited in the claims. The Examiner further required that the drawing figure be provided with a figure number.

In response, Applicants submit herewith one (1) replacement sheet including changes to the drawing figure. In particular, the continuous and contact-free power supply recited in the preambles of amended claim 9 and new claims 10 and 11 has been shown schematically as a rectangular box denoted with reference numeral 100.

It is respectfully submitted that the continuous and contact-free power supply recited in the claims is a conventional feature, a detailed illustration of which is not essential for a proper understanding of the invention. Accordingly, pursuant to 37 C.F.R. 1.83(a), the continuous and contact-free power supply need only be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation, such as a rectangular box.

The drawing figure has also been labeled as "FIG. 1" as requested by the Examiner. The specification has been amended where appropriate to refer to "FIG. 1" and to the "continuous and contact-free power supply 100".

In view of the foregoing amendments, it is believed that the objection to the drawing is overcome and accordingly, Applicants respectfully request that objection to the drawing on this basis be withdrawn.

Claims 2-9 were rejected under 35 U.S.C. § 112, first paragraph as being based on a disclosure which was said to be non-enabling. In particular, the Examiner had taken the position that the structure of the contact-free power supply critical or essential to the practice of the invention, but not included in the claims, was not enabled by the disclosure and that it was not possible to determine the structure of the claimed contact-free power supply based upon the disclosure, drawings and claims.

In response, Applicants have amended independent claim 9 to be in Jepson format, wherein the feature of a "*continuous and contact-free power supply*" is included in the preamble of the claim, as suggested by the Examiner. New independent claims 10 and 11 are likewise in Jepson format. As indicated by the Examiner during the telephone interview on December 8, 2009 and confirmed in the December 11, 2009 Interview Summary, the amendment of claim 9 to be in Jepson format renders the rejection under § 112, first paragraph moot.

In view of the foregoing, it is believed that the rejection of the claims under 35 U.S.C. § 112, first paragraph is overcome and accordingly, Applicants respectfully request that rejection of the claims on this basis be withdrawn.

Claim 2-4 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,293,308 to *Boys et al.* in view of U.S. Patent No. 5,207,309 to *Simpkin et al.* Claims 5-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Boys et al.* and *Simpkin et al.* as applied to claims 9 and 4 and further in view of U.S. Patent No. 6,237,400 to *Takakura et al.*

Essentially, it was the Examiner's position that it would have been obvious to one of ordinary skill in the art to provide the transport taught by *Boys et al.* with onboard diagnostics as taught by *Simpkin et al.* in order to reduce the complexity of the system by providing all transport and test equipment on a single platform sharing a common power source and that it would have been obvious to provide the device of *Boys et al.* with the controller as taught by *Simpkin et al.* such that power may be selectively applied to the vehicle as needed. The Examiner further took the position that it would have been obvious to provide the device taught by *Movitrans* (presumably *Boys et al.*) and *Simpkin et al.* with the connection as taught by *Takakura et al.* in order to allow the device to hook up to a standard connection on the vehicle, thereby decreasing the need for a plurality of differing connection numbers.

The rejections are respectively traversed.

As set forth in independent claim 9 as amended, Applicants' invention provides an improvement in a transport device (1) configured to receive and convey a motor vehicle (2) or partially assembled motor vehicle to various work stations during a production process, the transport device (1) having a continuous and contact-free power supply during the production process. The improvement includes a terminal (3) for supplying power to an on-board electrical system of the motor vehicle (2) or partially assembled motor vehicle (2) to be conveyed by the transport device (1), wherein the on-board electrical system of the motor vehicle (2) or partially assembled motor vehicle (2) is connectable (4) to the terminal (3) and the terminal (3) is supplied with electrical energy via the contact-free power supply to the transport device (1).

As set forth in new independent claim 10, Applicants' invention provides an improvement in a transport device configured to receive and convey a motor vehicle or partially assembled motor vehicle to various work stations during a production process, the transport device having a continuous and contact-free power supply during the production process. The improvement includes a terminal connected to an on-board electrical system of the motor vehicle or partially assembled

motor vehicle to be conveyed by the transport device for supplying power to the on-board electrical system. The terminal is supplied with electrical energy via the contact-free power supply to the transport device. The improvement further includes a mobile control unit removably attached to the transport device or to the motor vehicle or partially assembled motor vehicle to be conveyed by the transport device, for activating and deactivating the terminal. The mobile control unit is supplied with electrical energy via the on-board electrical system independently of the terminal.

New independent claim 11 is similar to claim 10 and provides that the mobile control unit is supplied with electrical energy via the transport device.

It is respectfully submitted that the cited references fail to teach or suggest an improvement to a transport device configured to receive and convey a motor vehicle or partially assembled motor vehicle as set forth in Applicant's claims. In particular, the cited references fail to teach or suggest a transport device having a contact-free power supply used to power both the transport device and the on-board electrical system of the vehicle or partially assembled vehicle being conveyed by the transport device.

Applicant respectfully submits that it is generally not known in the art to connect a vehicle or partially assembled vehicle being conveyed with a conveyor during the production process, such that the on-board electrical system of the vehicle is powered by the contact-free power supply powering the conveyor. Moreover, Applicant is unaware of any vehicle production plant using this technique. Accordingly, it is submitted that if the claimed arrangement, wherein the on-board electrical system of the vehicle or partially assembled vehicle being conveyed is powered by the contact-free power supply powering the transport device, would have been obvious, then it would have been implemented in the past due to the substantial advantages associated with Applicants' claimed arrangement.

The primary reference to *Boys et al.* relates to a contactless inductive power distribution system wherein power is distributed to moving parts (in particular electric vehicles) by wireless transfer. The power distribution system of *Boys et al.* is particularly adapted for guiding electric vehicles, wherein trails are defined by a conductive path.

As acknowledged by the Examiner, *Boys et al.* does not teach what the power supply is used for, other than a drive motor connected to the transport device. Thus, the only power

transfer disclosed in *Boys et al.* is the transfer to the movable part itself (e.g. the electric vehicle, the conveyor device). *Boys et al.* nowhere teaches or suggests providing power to another device which may be supported by the powered moving device.

In particular, *Boys et al.* nowhere teaches or suggests a transport device having a contact-free power supply used to power both the transport device and the on-board electrical system of a vehicle or partially assembled vehicle being conveyed by the transport device, as recited in Applicant's amended claim 9 and new claims 10 and 11.

Although FIG. 1 of *Boys et al.* shows a conveyor 1104 for supporting a partially assembled vehicle 1109 during a production process, the only part which receives electrical power from contact free power supply is the conveyor device 1104. There is no teaching or suggestion in *Boys et al.* to provide an electrical contact between the partially assembled vehicle 1109 and the movable conveyor 1104 such that the on-board electrical system of the vehicle would be powered by the contact-free power supply used to power the conveyor. Accordingly, the cited *Boys et al.* is similar to the *Movitrans* system in that in both references the respective power supplies are limited to supplying power to the

vehicle conveyor.

The secondary reference to *Simpkin et al.* relates a controller for adapting the speed of diagnostic devices 14 moving on a monorail 13 to the speed of actual motor vehicles 11 moving on a separate conveyor 12. Although *Simpkin et al.* discloses that the monorail 13 may be used as part of the power supply for the test device 14 drive units 18, there is no teaching or suggestion of powering a conveyor for the vehicle and the on-board electrical system of the conveyed vehicle with a common contact-free power supply.

Moreover, in the system according to *Simpkin et al.*, the on-board electrical system of the conveyed vehicle is powered by the motor vehicle battery. This method is well known in the prior art and is commonly used in the production of motor vehicles in general and is contrary to the arrangement provided in Applicants' claims.

The Examiner has taken the position that placing the test device of *Simpkin et al.* on the transfer device of *Boys et al.* would have been obvious to an ordinary mechanic at the time of Applicants' invention. As set forth in detail below, it is respectfully submitted that one of ordinary skill in the art

would have no suggestion or motivation to make the proposed modification suggested by the Examiner.

In particular, *Simpkin et al.* discloses a test unit 16 which is supported and driven along an overhead monorail 13. During the testing of a vehicle 11 which is moved during a production process, the test unit 16 is also moved along the overhead monorail 13. The vehicles 11 are moved on a separate conveyor 12, independently of the test unit 16 and of the overhead monorail 13. *Simpkin et al.* describes a procedure and device for moving the test unit 16 synchronously with the vehicle 11.

A person of ordinary skill in the art would consider the teaching of *Simpkin et al.* to provide an alternative to a fixed mount testing unit, wherein the vehicle to be tested must be stopped in order to conduct the test procedure, or a hand-held testing unit, wherein a dispatcher must walk beneath the moving vehicle in order to conduct the test procedure.

As recited in the pending claims, Applicants' invention relates to an improvement in a transport device configured to receive and convey a motor vehicle or partially assembled motor vehicle. The improvement includes a terminal for supplying power to the on-board electrical system of the motor vehicle or

partially assembled motor vehicle conveyed by the transport device, wherein the terminal is supplied with electrical energy via the same contact-free power supply used to power the transport device.

A person of ordinary skill in the art would not have combined the system disclosed in *Simpkin et al.* with a transport device configured to receive and convey a motor vehicle or partially assembled motor vehicle as set forth in Applicants' claims. A functional and constructive difference between the claimed arrangement and the system in *Simpkin et al.* is that in Applicants' claimed arrangement, the transport device supports the vehicle or partially assembled vehicle which is moved along a production line directly by the transport device. This is in contrast to *Simpkin et al.*, wherein the vehicle is not moved by the powered transport device, but rather by a conveyor independent of the powered transport device.

Moreover, contrary to the Examiner's position, placing the test device taught by *Simpkin et al.* on the transfer device taught by *Boys et al.* would not have been obvious to an ordinary mechanic at the time of Applicants' invention. This is because such a modification would frustrate the intended purpose of the device disclosed in *Simpkin et al.*, which purpose is to control

the speed of a testing device relative to an object under test which is moving on a separate and independent path (*See Simpkin et al.* col. 1, lines 12-16). In particular, placing the test device of *Simpkin et al.* on the vehicle transfer device of *Boys et al.* as suggested by the Examiner is contrary to the teachings of *Simpkin et al.* and would change the principle of operation thereof, which is to coordinate the movement of the testing device with the movement of a vehicle being tested which vehicle is moved independently and on a separate path relative to the test device.

Accordingly, it is respectfully submitted that one of ordinary skill in the art would have no hint or reason to combine the teachings of *Simpkin et al.*, which relates to the synchronization of the movement of a test unit with the movement of a vehicle, with a transport device configured to receive and convey a motor vehicle or partially assembled motor vehicle in order to achieve the claimed arrangement, wherein a terminal is provided for supplying power to an on-board electrical system of the conveyed vehicle and the terminal and transport device are both powered by a common contact-free power supply.

Moreover, even if the hypothetical combination proposed by the Examiner were to be made, the arrangement according to

Applicants' claims, wherein a transport device includes a terminal for supplying power to an on-board electrical system of a conveyed vehicle and the terminal and transport device are both powered by a common contact-free power supply, would not be achieved. This is because neither of the cited references include any teaching of a terminal for powering the conveyed vehicle or partially assembled vehicle's on-board electrical system.

The remaining secondary reference to *Takakura et al.* has been considered, but is believed to be no more relevant. In particular, *Takakura et al.* includes no teaching regarding the transfer of power from a transport device to a conveyed vehicle or partially assembled vehicle.

New independent claims 10 and 11 have been added. Independent claims 10 and 11 are believed to be patentable over the cited references for at least the reasons set forth above.

In addition, new independent claims 10 and 11 recite the feature of a mobile control unit for activating and deactivating the terminal. The mobile control unit is removably attached to the transport device or to the motor vehicle or partially assembled motor vehicle to be conveyed by the transport device,.

As set forth in claim 10, the mobile control unit is supplied with electrical energy via the vehicle's on-board electrical system independently of the terminal. As set forth in claim 11, the mobile control unit is supplied with electrical energy via the transport device. It is respectfully submitted that these additional features are nowhere disclosed or suggested in the cited references and that claims 10 and 11 are patentable for these additional reasons as well.

In summary, independent claim 9 has been amended to be in Jepson claim format and new independent claims 10 and 11, also in Jepson format, have been added. The drawing figure and the specification have been amended. No new matter has been added.

In view of the foregoing, Applicant respectfully submits that the pending claims, which are claim 2-11, are patentable over the cited references. It is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,
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Attachment: One (1) Replacement Drawing Sheet (FIG. 1)

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